

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

TREVOR SINGLETON,
individually and on behalf of all
others similarly situated,

Plaintiff,

v.

FIFTH GENERATION, INC., d/b/a
TITO'S HANDMADE VODKA,

Defendant.

Case No.: 5:15-CV-0474
(BKS/TWD)

CLASS ACTION

**PLAINTIFF'S NOTICE OF
MOTION AND MOTION FOR
CLASS CERTIFICATION**

Date: March 16, 2017

Time: 10 a.m.

Judge: Hon. Brenda K. Sannes

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Plaintiff in the above captioned matter hereby moves before the Honorable Brenda K. Sannes on March 16, 2017, at 10 a.m or as soon thereafter as counsel can be heard, at the United States District Court, Northern District of New York, 100 South Clinton Street, Syracuse, New York, for an Order, pursuant to Rule 23 of the Federal Rules of Civil Procedure, to: (i) certify a class defined as "all persons in New York who, within the Class Period, purchased Tito's Handmade Vodka"; (ii) appoint Trevor Singleton as representative of the Class; and (iii) to appoint Levi & Korsinsky, LLP as Class Counsel. In support of this motion, Plaintiff will submit a memorandum of law and the Declaration of Shannon L. Hopkins. Oral argument is requested.

DATED: February 3, 2017

LEVI & KORSINSKY LLP

By: /s/ Eduard Korsinsky
Eduard Korsinsky (EK 516760)
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PROOF OF SERVICE

I, the undersigned, declare:

That declarant is and was, at all relevant times herein mentioned, a citizen of the United States, over the age of 18 years, and not a party to the within action. My business address is 733 Summer Street, Suite 304, Stamford, CT 06901.

On February 3, 2017, I served the following documents on all parties:

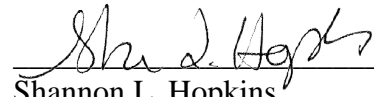
**PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR CLASS
CERTIFICATION;**

**PLAINTIFF'S MEMORANDUM OF POINTS AND AUTHORITIES IN
SUPPORT OF MOTION FOR CLASS CERTIFICATION; AND**

**DECLARATION OF SHANNON L. HOPKINS IN SUPPORT OF
PLAINTIFF'S MOTION FOR CLASS CERTIFICATION.**

I certify under penalty of perjury under the laws of the United States of America that the

foregoing is true and correct. Executed on February 3, 2017, at Stamford, Connecticut.


Shannon L. Hopkins